

FEB 02 2006

FACSIMILE TRANSMISSION

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DATE: 2/2/06

TO: Examiner Krishna Lin

FIRM: U.S.P.T.O.

Serial No. 09/440,434

FAX NO.: 571-273-8300

FROM: Peter Priest

NO. OF PAGES: 27 including cover

NOTE: If transmission is poor, or you do not receive all pages,
please call (919) 806-1600 as soon as possible.

MESSAGE:

Examiner Lin,
I today received the attached Notice of Abandonment.
In fact, a response was filed 9/9/06 as shown
by the attached Auto-Reply fax receipt. The Amendment
is also attached. *PP*

FEB 02 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/440,434	11/15/1999	ADAM W. FINGERMAN	100.2556	2945
46266	7590	01/31/2006		
PRIEST & GOLDSTEIN, PLLC 5015 SOUTHPARK DR SUITE 230 DURHAM, NC 27713				
			EXAMINER LIM, KRISNA	
			ART UNIT 2153	PAPER NUMBER

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

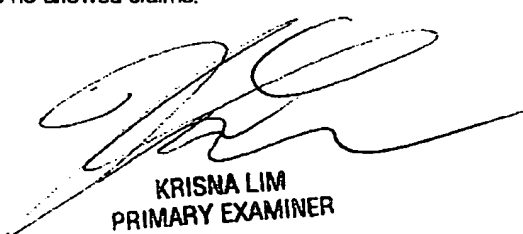
FEB 02 2006

Notice of Abandonment	Application No.	Applicant(s)	
	09/440,434	FINGERMAN ET AL.	
	Examiner	Art Unit	
	Krisna Lim	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 11 May 2005.
 - ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - ☐ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below.



KRISNA LIM
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

USPTO 9/9/2005 10:49 AM PAGE 1/001 Fax Server
 O:Auto-reply fax to 919 806 1690 COMPANY:

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Auto-Reply Facsimile Transmission



TO: Fax Sender at 919 806 1690

Fax Information
 Date Received: 9/9/2005 10:36:37 AM [Eastern Daylight Time]
 Total Pages: 24 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
 Cover
 Page

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100.2556	PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
Applicant:	Fingerman et al.
Serial No.:	09/440,434
Filed:	November 15, 1999
For:	METHOD AND APPARATUS FOR REMOTE AUDIOVISUAL SIGNAL RECORDING SERVICE
Group:	2153
Examiner:	Lim, Krista
<p>Durham, North Carolina September 9, 2005</p>	
<p>MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	
<p>CERTIFICATION OF FACSIMILE TRANSMISSION</p>	
<p>Sir:</p>	
<p>I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300 on the date set forth below.</p>	
1.	Amendment Transmittal (2 pages)
2.	Amendment (16 pages)
3.	2 sheets corrected drawings (2 pages)
4.	2 sheets formal drawings (2 pages)
<p>Vickie Diane Hawkins Printed name of person signing</p>	
<p><i>Vickie Diane Hawkins</i> Signature</p>	
<p>Date: September 9, 2005</p>	

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100.2556

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fingerman et al.

Serial No.: 09/440,434

Filed: November 15, 1999

For: METHOD AND APPARATUS FOR REMOTE AUDIOVISUAL SIGNAL
RECORDING SERVICE

Group: 2153

Examiner: Lim, Krisna

Durham, North Carolina
September 9, 2005

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax. No. 571-273-8300 on the date set forth below.

1. Amendment Transmittal (2 pages)
2. Amendment (16 pages)
3. 2 sheets corrected drawings (2 pages)
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Vickie Diane Hawkins

Printed name of person signing

Vickie Diane Hawkins
Signature

Date: September 9, 2005